

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

SOUTHERN DISTRICT OF TEXAS

United States of America )

v. )

Pedro PEREZ-Posada (YOB: 1971) (POB: MEX) )

Defendant(s)

Case No. 7:19mj0183

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 1/26/2019 in the county of Starr in the  
SOUTHERN District of TEXAS, the defendant(s) violated:

## Code Section

21 USC 846(a)(1)

## Offense Description

Knowingly and intentionally possess and  
conspire with intent to distribute  
approximately 216.5 KGs. of marijuana, a  
Schedule I controlled substance.

This criminal complaint is based on these facts:

See attachment 1.

Submitted by reliable electronic means, sworn to and attested telephonically per  
FED.R.CR.4.1, and probable cause found on:☐ Continued on the attached sheet.S/JOSEPH A. LUCIO

Complainant's signature

Joseph A. Lucio, DEA TFO

Printed name and title

~~Sworn to before me and signed in my presence.~~Date: 1/27/2019 - 10:09 a.m.City and state: McAllen, TexasJuan F. Alanis

Judge's signature

Juan F. Alanis, Magistrate Judge

Printed name and title

**ATTACHMENT "I"**

The information contained in this affidavit is information based on the personal knowledge of the Affiant and other law enforcement officials assigned to this investigation.

On January 26, 2019, Border Patrol Agent (BPA) Joseph Grippin and Evan Smith, were conducting lay in operations in an area, "Zarate Ranch," known for narcotics and alien smuggling due to its close proximity to the Rio Grande River and the density of the brush leading to the community of La Grulla, Texas.

At approximately 4:30PM, BPA Grippin began hearing voices south of his location, minutes later, BPA Smith heard a faint sound of a motor coming from what appeared to be a commercially sold drone flying overhead. At approximately 4:45PM, BPA Grippin advised BPA Smith that he had visual of eight (8) subjects walking north carrying suspected bundles of what appeared to be narcotics.

At approximately 4:50PM, the BPA's responded to the area and made contact with the subjects identifying themselves as Border Patrol Agents which resulted in all eight (8) subjects dropping the eight (8) bundles and running southbound towards the Rio Grande River. BPA Grippin was able to identify and apprehend one of the subjects that was carrying the bundles of narcotics prior to dropping it and running southbound towards the Rio Grande River. The subject apprehended was later identified as, Pedro PEREZ-Posada.

After seizing the narcotics and apprehending PEREZ-Posada, BPA observed a drone launching from the Mexico side of the Rio Grande River and hovering over their location as they were loading the bundles into the Border Patrol Vehicle as well as the apprehended subject, PEREZ-

Posada prior to departing the location, BPA's observed as the drone made its way back to the Mexico side of the Rio Grande River.

The eight (8) Bundles were transported to the Rio Grande Border Patrol Station. Once at Rio Grande Border Patrol Station, the contents were field tested utilizing the NarcoPouch, 908 Duquenois-Levine Reagent test kit and tested positive for the characteristics of marijuana. The eight (8) bundles weighed approximately 216.5 kilograms.

On the same date, Drug Enforcement Administration (DEA) Agents responded to the Rio Grande Border Patrol Station to interview PEREZ-Posada. DEA Task Force Officer (TFO) Joseph Lucio as witnessed by DEA TFO Graciano Gamino read PEREZ-Posada his rights in his preferred language of Spanish. PEREZ-Posada stated he understood his rights and agreed to speak with the agents without an attorney present. PEREZ-Posada admitted to transporting one (1) bundle of marijuana and stated that he wanted to cross into the United States but that he did not have the funds to pay to cross. PEREZ-Posada stated that he had agreed to transport the bundle in return for his crossing into the United States.